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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/287,190	04/06/1999	MASAAKI ASANO	DAIN-496	5998

7590 05/07/2004
PARKHURST & WENDEL LLP
1421 PRINCE STREET
SUITE 210
ALEXANDRIA, VA 223142805

EXAMINER

HARPER, HOLLY R

ART UNIT	PAPER NUMBER
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2879

DATE MAILED: 05/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/287,190	Applicant(s) ASANO ET AL	
	Examiner Holly R. Harper	Art Unit 2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on 05 February 2004.

2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-11 is/are pending in the application.

4a) Of the above claim(s) 12 is/are withdrawn from consideration.

5) ☒ Claim(s) 1-6 and 9-11 is/are allowed.

6) ☒ Claim(s) 7 and 8 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on 06 April 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☒ All b) ☐ Some * c) ☐ None of:

1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
 Paper No(s)/Mail Date _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

The Amendment, filed on 2/5/04, has been entered and acknowledged by the Examiner.

Claims 1, 3, 5, 7, and 9 have been amended.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 7-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 7 recites the limitation "the display electrode pair" in line 16. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action;

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sano et al. (USPN 6,249,264) in view of Anderson et al. (USPN 6,448,946) and Mizobata (USPN 6,333,600).

Regarding claims 7 and 8, the Sano reference discloses a plasma display panel (Figure 33) with a front plate (11) and a back plate (21) parallel to and facing each other having a space between for a discharge gas, plural pairs of display electrodes (EP) on the front plate parallel to each other, with each display electrode pair comprising a transparent sustain electrode (41) and a metal bus electrode (42), a dielectric layer (17) covering the display electrodes, and a protective film (18) of MgO, address electrodes (22) on the back plate at right angles to the display electrode pairs, linear ribs (29) located between the address electrodes, with phosphor layers (28) located on the back plate between adjacent linear ribs so that the phosphor layers each extend intermittently in the lengthwise direction of the ribs for each pixel (HL), the phosphor layers cover both the electrode and the linear ribs within each pixel, each pixel is formed by a crossing region of the address electrode and the display electrode pair, and each phosphor extends intermittently in the lengthwise direction of the ribs so that the phosphor layer does not exist in the region on the ribs that corresponds to the region between the adjacent display electrode pairs.

The Sano reference does not clearly point out a dielectric layer on the bottom substrate covering the address electrode with a dark dielectric. Anderson discloses a dielectric layer on the bottom substrate covering the electrode in order to protect the electrode structure from the discharge and prevent further damage of the electrode structure but fails to clearly point out a dark dielectric. The Mizobata reference discloses (fig 2) a light-absorbing layer (13) that contains a dark pigment and a dielectric in order to achieve controlled reflectance and higher contrast.

Hence it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the display of Sano with the dielectric layer on the bottom substrate covering the electrode in order to protect the electrode structure from the discharge and prevent further damage of the electrode structure, as taught by Anderson, made from a light-absorbing layer (13) containing a dark pigment and a dielectric in order to achieve controlled reflectance and higher contrast, as taught by Mizobata.

Allowable Subject Matter

5. Claims 1-6 and 9-11 allowed.

The following is a statement of reasons for the indication of allowable subject matter: Regarding claims 1, 3, 5, and 9, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claims 1, 3, 5, and 9, and specifically comprising the limitation that a PDP has a phosphor layer extending intermittently in the lengthwise direction of the ribs creating regions on the ribs and the dielectric layer that have no phosphor layer.

Regarding claims 2, 4, 6, and 10-11, claims 2, 4, 6, and 10-11 are allowable for the reasons given in claims 1, 3, 5, and 9 because of their dependency status from claims 1, 3, 5, and 9.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Holly Harper whose telephone number is (571) 272-2453. The examiner can normally be reached on Monday-Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel, can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7382.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



Holly Harper
Patent Examiner
Art Unit 2879



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